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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 JOHN ROBERT DEMOS, JR,

NO. C12-867-TSZ

10 Plaintiff,

11 v.

ORDER OF DISMISSAL

12 UNITED STATES OF AMERICA, *et al.*,

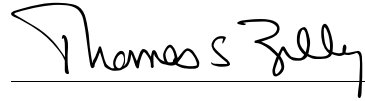
Defendants.

13 The Court, having reviewed the Report and Recommendation of the Honorable James P.
14 Donohue, United States Magistrate Judge, docket no. 5, and plaintiff's objections thereto, docket
15 no. 6, finds and Orders as follows:

- 16 1. The Court ADOPTS the Report and Recommendation;
- 17 2. Plaintiff's application to proceed *in forma pauperis* (Dkt. 4) is DENIED;
- 18 3. This matter is DISMISSED with prejudice for lack of a case or controversy, failure to
19 state a claim upon which relief may be granted, and frivolousness, *see* U.S. Const., art.
20 III, § 2, cl. 1; *Muskrat v. United States*, 219 U.S. 346 (1911); 28 U.S.C. §§ 1915(e)(2)(B),
21 1915A(b)(1);
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1 4. The Clerk shall send a copy of this Order to the parties and to Judge Donohue.

2 DATED this 19th day of July, 2012.

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5 THOMAS S. ZILLY
6 United States District Judge
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